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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

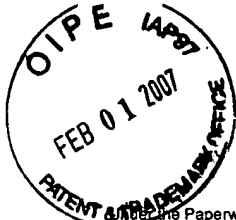
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/672,149
	Filing Date	September 26, 2003
	First Named Inventor	Selena CHAN
	Art Unit	1637
	Examiner Name	C. Wilder
Total Number of Pages in This Submission	Attorney Docket Number	070702007620

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO SB/08a/b (2 pages) IDS Citations (4 refs) Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Jonathan Bockman		
Date	February 1, 2007	Reg. No.	45,640



Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	10/672,149
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	September 26, 2003
		First Named Inventor	Selena CHAN
TOTAL AMOUNT OF PAYMENT (\$)		Examiner Name	C. Wilder
		Art Unit	1637
		Attorney Docket No.	070702007620

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
34	- 34 =	x	=			

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3	- 3 =	x	=

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/50 (round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	45,640
Name (Print/Type)	Jonathan Bockman	Telephone	(703) 760-7769
		Date	February 1, 2007



Patent
Docket No. 070702007620

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Selena CHAN et al.

Serial No.: 10/672,149

Filing Date: September 26, 2003

For: METHODS AND DEVICE FOR DNA
SEQUENCING USING SURFACE
ENHANCED RAMAN SCATTERING
(SERS)

Examiner: C. Wilder

Group Art Unit: 1637

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. U.S. Patents/Patent Applications (Cite Nos. 1-16) are not submitted herewith.) Copies of non-patent literature (Cite Nos. 18 and 23-25) are submitted herewith. However, copies of the remaining documents cited in the attached Form PTO/SB/08a/b were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 10/108,128, filed March 26, 2002, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

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This Supplemental Information Disclosure Statement is submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission.

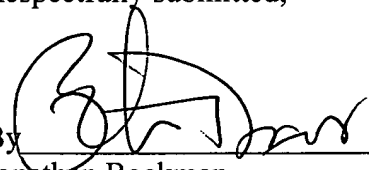
Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 070702007620.

Dated: February 1, 2007

Respectfully submitted,

By  *Reg. No. 36,119*
for Jonathan Bockman
Registration No.: 45,640
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7769



ALTERNATIVE TO PTO/SB/08a/b (07-05)

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/672,149
				Filing Date	September 26, 2003
				First Named Inventor	Selena CHAN
				Art Unit	1637
				Examiner Name	C. Wilder
Sheet	1	of	2	Attorney Docket Number	070702007620

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	4,683,195	07-1987	MULLIS	
	2.	4,683,202	07-1987	MULLIS	
	3.	4,800,159	01-1989	MULLIS	
	4.	5,038,853	08-1991	CALLAWAY	
	5.	5,401,511	03-1995	MARGALIT	
	6.	5,405,766	04-1995	KALLURY	
	7.	5,603,872	02-1997	MARGALIT	
	8.	5,610,287	03-1997	NIKIFOROV	
	9.	5,904,824	05-1999	OH	
	10.	5,919,622	07-1999	MACHO	
	11.	5,986,076	11-1999	ROTHSCHILD	
	12.	6,054,263	04-2000	DANSSAERT	
	13.	6,090,589	07-2000	DIMOND	
	14.	6,180,372	01-2001	FRANZEN	
	15.	6,263,286	07-2001	GILMANSHIN	
	16.	U2004/0110208	06-2004	CHAN et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	17.	WO 99/44045	09-02-1999	MASSACHUSETTS INSTITUTE OF TECHNOLOGY		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	18.	Chen et al. (1984) "The Metal Cation Effect on the SERS of Interfacial D2O ad H2O. <i>Chemical Physics Letters</i> 108(1):32-38	
	19.	Matsuura, et al. (2001). "Real-time Observation of a Single DNA Digestion by Lambda Exonuclease Under a Fluorescence Microscope Field," <i>Nucleic Acids Research</i> (29)16:1-5	
	20.	"Molecular Probes", Thiol Reactive Probes, located at < http://www.probes.com > visited in 2003	
	21.	"Nanogold Labeling reagents" located at < http://www.nanoprobes.com/LabRgts.html > visited in 2002	
	22.	Sauer, et al. (2001). "Single Molecule DNA Sequencing in Submicrometer Channels: State of the Art and Future Prospects", <i>J. Biotechnology</i> , 86:181-201	

Examiner Signature		Date Considered	
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ALTERNATIVE TO PTO/SB/08a/b (07-05)

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/672,149
				Filing Date	September 26, 2003
				First Named Inventor	Selena CHAN
				Art Unit	1637
				Examiner Name	C. Wilder
Sheet	2	of	2	Attorney Docket Number	070702007620

23.	Berger & Kimmel, (1987). <u>Guide to Molecular Cloning Techniques</u> Academic Press, New York, NY.	
24.	Sambrook, et al. (1989). <u>Molecular Cloning: A Laboratory Manual</u> 2 nd Ed. Cold Spring Harbor Press, Cold Spring Harbor, NY.	
25.	Townsend et al. (1978). <u>Nucleic Acid Chemistry Part 1</u> Wiley-Interscience, New York, NY.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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